



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

**MAY 25 2016**

**CERTIFIED MAIL 7001 0320 0006 0184 8024**  
**RETURN RECEIPT REQUESTED**

Mr. Brian K. Meek  
Plant Manager  
Elkay Wood Products Company  
515 West Mill Street  
Culver, Indiana 46511

Re: Notice of Violation  
Compliance Evaluation Inspection  
ILR 000 116 806

Dear Mr. Meek:

On September 28, 2015 a representative of the U.S. Environmental Protection Agency inspected the Elkay Wood Products Company facility (Elkay) located in Culver, Indiana. As a large quantity generator of hazardous waste, Elkay is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* (RCRA). The purpose of the inspection was to evaluate Elkay's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by Elkay, EPA's review of records pertaining to Elkay, and the inspector's observations, EPA has determined that Elkay has unlawfully stored hazardous waste without a permit or interim status as a result of Elkay's failure to comply with certain conditions for a permit exemption under Indiana Administrative Code (IAC) 329 Part 3.1-7-1 [40 C.F.R. § 262.34(a)-(c)]. EPA has identified the permit exemption conditions with which Elkay was out of compliance at the time of the inspection in paragraphs 1-2, below.

**STORAGE OF HAZARDOUS WASTE WITHOUT A PERMIT OR INTERIM STATUS AND VIOLATIONS OF TSD REQUIREMENTS**

Many of the conditions for a RCRA permit exemption are also independent requirements that apply to permitted and interim status hazardous waste management facilities that treat, store, or dispose of hazardous waste (TSD requirements). When a hazardous waste generator loses its permit exemption due to a failure to comply with an exemption condition incorporated from

Indiana Administrative Code (IAC), the generator: (a) becomes an operator of a hazardous waste storage facility; and (b) simultaneously violates the corresponding TSD requirement. The exemption condition identified in paragraph 1 is also an independent TSD requirement incorporated from 329 IAC Part 3.1-9-1 and 329 IAC § 3.1-10-1. Accordingly, each failure of Elkay to comply with this condition is also a violation of the corresponding requirement 40 C.F.R. Part 265.

#### 1. Personnel Training

Under 40 CFR § 262.34(a)(4); 40 CFR § 265.16(a)(4); 329 IAC § 3.1-7-1 and 329 IAC § 3.1-9-1, a large quantity generator must keep records that document the training, or job experience, that is required and has been given to, and completed by facility personnel.

At the time of the inspection, Elkay had not been maintaining records that documented training, or job experience, had been given to and completed by Elkay employees for year 2014.

#### 2. Contingency Plan

Under 40 CFR § 262.34(a)(4); 40 CFR § 265.52(d); 329 IAC § 3.1-7-1 and 329 IAC § 3.1-10-1, a large quantity generator must have a Contingency Plan that lists names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates. 40 CFR § 262.34(a)(4); 40 CFR § 265.52(e); 329 IAC § 3.1-7-1 and 329 IAC § 3.1-10-1, a large quantity generator must have a Contingency Plan that lists all of the emergency equipment at the facility, their location and a brief outline of its capabilities. Under 40 CFR § 262.34(a)(4) and 265.52(c); 329 IAC § 3.1-7-1 and 329 IAC § 3.1-10-1, a large quantity generator must have a contingency plan which describes arrangements agreed to by local police departments, fire departments, hospitals, contractors and State and local emergency response teams to coordinate emergency services.

At the time of the inspection, Elkay did not have a contingency plan with the list of names of the persons qualified to act as emergency coordinators.

At the time of the inspection, Elkay did not have a contingency plan with the capabilities of the emergency equipment at the facility.

At the time of the inspection, Elkay did not have a contingency plan that described arrangements agreed to by local police departments, fire departments, hospitals, contractors and State and local emergency response teams to coordinate emergency services.

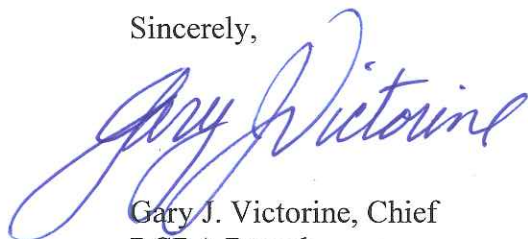
By failing to comply with the conditions for a permit exemptions, above, Elkay became an operator of a hazardous waste storage facility, and was required to obtain a hazardous waste storage permit. Elkay failed to apply for such a permit. Elkay's failure to apply for and obtain a hazardous waste storage permit violated the requirements of 40 CFR §§ 270.1(c), 270.10(a) and (d); 329 IAC § 3.1-1-7. Any failure to comply with a permit exemption condition incorporated from 40 C.F.R. Part 265 is also an independent violation of the corresponding TSD requirement.

At this time, EPA is not requiring Elkay to apply for a hazardous waste storage permit so long as it immediately establishes compliance with the conditions for a permit exemption outlined in paragraphs 1-2, above.

During the inspection, as observed by EPA, and after the inspection, as documented in your October 26, 2015 email to EPA, you took certain actions to establish compliance with the permit exemption conditions in paragraph 1-2, above. Based on the information received from Elkay on October 26, 2015, EPA is not planning additional enforcement actions based on this inspection at this time. This letter does not limit the applicability of the requirements evaluated, or of other federal or state statutes or regulations. EPA appreciates Elkay's cooperation.

If you have any questions regarding this letter, please contact Ms. Graciela Scambiaterra, of my staff, at 312-353-5103 or at [scambiaterra.graciela@epa.gov](mailto:scambiaterra.graciela@epa.gov).

Sincerely,



Gary J. Victorine, Chief  
RCRA Branch

Enclosure

cc: Nancy Johnston, IDEM ([njohnsto@idem.in.us](mailto:njohnsto@idem.in.us))



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
LAND AND CHEMICALS DIVISION, RCRA BRANCH  
77 W. JACKSON BOULEVARD  
CHICAGO, IL 60604

COMPLIANCE EVALUATION INSPECTION REPORT

**INSTALLATION NAME:** Elkay Wood Products Company

**EPA ID No.:** IND 152 090 148


**LOCATION ADDRESS:** 515 West Mill Street  
Culver, Indiana 46511

**NAICS CODE(s):** 33711 [Wood Kitchen Cabinet and Countertop  
Manufacturing]

**DATE OF INSPECTION:** September 28, 2015

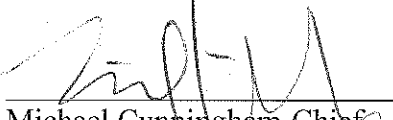
**U.S. EPA INSPECTOR(s):** Graciela Scambiaterra

**PREPARED BY:**

  
Graciela Scambiaterra  
Environmental Scientist

4/20/2016  
Date

**APPROVED BY:**

  
Michael Cunningham, Chief  
Compliance Section 1  
RCRA Branch  
Land and Chemicals Division

4/20/16  
Date

## **RCRA Compliance Evaluation Inspection**

### **Introduction**

I, Graciela Scambiatterra, Environmental Scientist, from the United States Environmental Protection Agency (EPA) conducted a hazardous waste compliance evaluation inspection (CEI) at Elkay Wood Products Company (Elkay), located at 515 West Mill Street, Culver, Indiana. The Purpose of the CEI was to evaluate Elkay's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA), specifically, those regulations related to the management and disposal of hazardous waste. Cathy Csatari, Senior Environmental Manager for the Indiana Department of Environmental Management (IDEM) joined me on the inspection.

Photographs (photos) taken during the inspection are included in Attachment 1.

### **History and Interview**

I arrived at Elkay with Ms. Csatari on September 28, 2015 at approximately 10:20 a.m., identified myself and provided my credentials to Brian Meek, Plant Manager. He escorted us to the office area where I conducted the opening interview. The following individuals were present during the CEI:

<b>NAME</b>	<b>TITLE</b>	<b>EMPLOYER</b>
Gracie Scambiatterra	Environmental Scientist	U.S. EPA
Cathy Csatari	Senior Environmental Manager	IDEM
Brian Meek	Plant Manager	Elkay
Zachary Binkley	Assistant Plant Manager	Elkay
Jason Huffman	Human Resources Manager	Elkay
Steve Blosser	Senior Manufacturing Engineer	Elkay

Once we were in the office area, I held an opening conference with the all the individuals above. I explained to them the purpose for being at the facility; and that I would be performing a records review and a physical site inspection of the facility, including taking photographs. Our discussion included confidential business information (CBI). I informed the Elkay representatives that if they or any other Elkay employees were going to disclose CBI, I should be informed immediately in order for me to handle that material and/or information in accordance with EPA policy.

Mr. Meek provided a brief history of the facility. Elkay has been operating at this location since approximately 2006. They have approximately 350 employees at this location and operate Monday through Friday from approximately 6:00 a.m. until 2:30 p.m. and Saturdays as needed.

Elkay manufactures residential cabinets. Raw products are brought in to the facility and include wood and solvent-based coatings. Elkay's customers include home centers and

custom dealers. Elkay does not sell directly to homeowners or individuals and is a build-to-order company only.

According to the RCRAInfo database, Elkay submitted a biennial report, on or about 2/24/2014, for its 2013 calendar year generator activities and notified that it was operating as a large quantity generator of hazardous waste.

I provided the Small Business Resources Guide to Mr. Meek.

I explained to Mr. Meek that I would be conducting the physical site inspection first, followed by the records review.

### Site Inspection

The Elkay site inspection began at approximately 11:20 a.m. in the Flat Stock Receiving area. Mr. Meek, Mr. Blosser, Mr. Binkley and Dave Bartlett escorted Mr. Csatri and me on the site inspection.

#### Flat Stock Receiving

Wood, in the form of plywood, particle board, etc. is brought here and temporarily stored until needed. Elkay has up to 400 different finish and color options available.

#### Material Storage Area

This area is for wood storage and encompasses a big portion of the facility. I did not observe any hazardous waste in this area.

#### Receiving Area

According to Mr. Meek, the largest incoming product received at Elkay are doors for the wood cabinets. Approximately 700-725 cabinets are manufactured per day at the facility and utilize approximately 2000 door fronts.

#### Frame Area

Wood is framed and holes are drilled in this area. I did not observe any hazardous waste in this area.

#### Plywood Mill Room

Once the wood is framed from the previous area (above), it is sent here to be cut to size and sanded, if needed.

### Finish Staging Area/Finish Lines

Quick inspections of the wood and light sanding is accomplished in this area. Parts here will be “married” or joined with their corresponding part and then taken to Line 1 or Line 2 for further processing.

Line 1 is for items requiring more complex coloring, while Line 2 is used for standard colors. A booth is used to apply a primer and paint to the wood. Near this area were two 5-gallon containers of satellite hazardous waste paint (*see* photos 1-2). These containers store waste paint from the cleaning of the paint booth equipment. At the end of the day, these 5-gallon containers are emptied into a 55-gallon container in the less than 90-day hazardous waste storage area.

### Stain Area Booth

This area is also part of Finish Lines. This area also generates hazardous waste which is stored in satellite containers (*see* photo 3).

### Detailing Area/Top Coat Booth

A seal enamel is applied, then a topcoat before the parts get cured in an oven.

### Vault Area

The main room is for storage of paint material used in the spray paint booths. 55-gallon drums of higher volume paint are connected to a pump system that feeds the paint booths. Smaller 5-gallon containers are also stored here until needed at the paint booths.

Also in this area is the less than 90-day hazardous waste storage area (*see* photos 4-8). All the containers were labeled with the words “Hazardous Waste” and the oldest container in storage was dated 8/31/2015.

### Offload Area

Finished parts are sent to this department to once again be “married up” to their corresponding part. I didn’t observe any hazardous waste in this area.

### Particle Board Area, Assembly Area, Packaging Area and Cabinet Warehouse

We continued our walk around the facility where the cabinet undergoes additional processing until the final product is packaged for offsite shipment. None of these areas were accumulating and/or storing any hazardous waste.



### Recycler Area

Elkay has a solvent-recycler they use to try and extend the life of their solvent material. This recycler generates a solvent hazardous waste when the recycler is cleaned (*see* photo 9).

### Compressor Room

The final area we inspected was the compressor room. Here, universal waste is stored (*see* photo 10) as well as used oil (*see* photo 11)

I concluded the Elkay physical site inspection at approximately 12:45 p.m., at which time we returned to the office area so I could conduct the records review.

### Records Review

I began the record review at approximately 1:00 p.m.

### Contingency Plan

I reviewed the plan titled "Hazardous Waste Spill Contingency Plan" and was dated 9/20/2013. I noted the following from the plan:

1. Emergency Coordinator: not listed in plan
2. Alternate Coordinator: not listed in plan.
3. Emergency Equipment list and locations, but not capacities.
4. Evacuation plan, routes and map.
5. Arrangements made with local fire, police and hospital not listed in plan.

### Training

Richard J. Lisac, Trainer (Elkay Manufacturing, HQ):

2015:

- Hazardous Waste Manifest Completion – 8/12/2015 and 9/16/2015.
  - Completion of HW manifest
  - Nine facility employees in attendance
- Hazardous Waste Training (RCRA) – 8/12-13/2015
  - RCRA waste generation
  - Container management
  - Labeling
  - Satellite Accumulation
  - Storage Inspections
  - Spill Control
  - Recordkeeping
  - Training

- Compliance
- Seventy-five facility employees in attendance

2013:

- Hazardous Waste Training (RCRA) – 1/9/2013
  - Regulations
  - Waste management
  - Spills
  - Emergencies
  - Thirty-one facility employees in attendance

Mr. Meek informed me that he could not locate the training records for 2014, but that he was sure the training had been accomplished.

Annual Reports

I reviewed the hazardous waste reports for years 2012 – 2014:

Hazardous Waste Annual Report									
Calendar Year:		2014		Date Signed:		2/25/2015			
Certified Mail Receipt: electronic submittal									
Waste Streams Reported									
D001	D005	F003	F005	D006	D007				
Treatment, Storage, and Disposal Facilities Used:									
Safety-Kleen, Dolton, IL						ILD980813913			
Clean Harbors, El Dorado, AR						ARD069748192			
Safety-Kleen, Smithfield, KY						KYD053348108			
Clean Harbors, Kimball, NE						NED981723513			
Clean Harbors, La Porte, TX						TXD055141378			

Hazardous Waste Annual Report									
Calendar Year:		2013		Date Signed:		2/24/2014			
Certified Mail Receipt:									
Waste Streams Reported									
D001	D005	F003	F005	D035	D007				
Treatment, Storage, and Disposal Facilities Used:									
Safety-Kleen, Dolton, IL						ILD980813913			
Clean Harbors, El Dorado, AR						ARD069748192			
Safety-Kleen, Smithfield, KY						KYD053348108			
Clean Harbors, Kimball, NE						NED981723513			
Clean Harbors, La Porte, TX						TXD055141378			

Hazardous Waste Annual Report									
Calendar Year:		2012		Date Signed:		2/27/2013			
Certified Mail Receipt:									
Waste Streams Reported									
D001	D005	F003	F005	D035	D007				

Treatment, Storage, and Disposal Facilities Used:	
Safety-Kleen, Dolton, IL	ILD980813913
Hydrite Chemical Company, Cottage Grove, WI	WID000808824

### Manifests/LDRs

I reviewed the hazardous waste manifests for years 2013 until the present. The most recent manifests are listed below:.

Hazardous Waste Manifests				
Manifest Number	Waste Code(s)	Quantity	Date	TSD Signature?/ Signatory
004783657 SKS	F003, F005, D001	5500 P	9/17/15	NA/J. Lapp
004783658 SKS	F003, F005, D001	150 P	9/17/15	NA/J. Lapp
004783511 SKS	F003, F005, D001, D006, D007	300 P	9/3/15	Yes/C. Brandenburg
004783510 SKS	F003, F005, D001	8500 P	9/3/15	Yes/C. Brandenburg
004737644 SKS	F003, F005, D001, D006, D007, D008	350 P	8/13/15	Yes/C. Brandenburg
004737645 SKS	F003, F005, D001	7000 P	8/13/15	Yes C. Brandenburg

### Hazardous Waste Determinations

I reviewed the hazardous waste determination for Elkay's solvent-based paint waste.

### Inspection Reports

Reviewed the inspection checklist for the Vault (less than 90-day hazardous waste storage area) for years 2013 until the present. The inspections are conducted daily (Monday through Friday) and are signed by the facility employee conducting the inspections on Friday. The staff supervisor also signs off on the checklist.

1. 24" aisle space
2. Containers labeled
3. Grounding
4. Container leaks
5. Containers closed
6. Spill equipment
7. Internal communications

I concluded the Elkay records review at approximately 2:50 p.m., at which time I prepared to conduct the closing conference.

### Closing Conference

Once we returned to the office area, I sat down with Mr. Meek, Mr. Blosser, Mr. Binkley, Mr. Huffman and Ms. Csatri to discuss the records review and the site inspection. The following topics were discussed:

1. Contingency Plan: we discussed the following:
  - a. Emergency coordinators were not in the plan
  - b. Although the emergency equipment list was in the plan, the capabilities were not
  - c. Arrangements made with emergency departments were not listed in the plan
2. 2014 RCRA Training: Mr. Meek informed me he would continue to look for the documentation and provide it for me at a later date

I thanked them for their time and the documents their cooperation. I explained that a thorough review would be completed and a compliance determination would be forthcoming.

I completed the CEI at approximately 3:10 p.m. and departed the facility.

### **ATTACHMENTS: (2)**

Attachment 1	Photographs taken during the inspection
Attachment 2	Inspection checklist

### **ADDENDUM:**

On October 26, 2015, I received email correspondence from Mr. Meek addressing the contingency plan issues and the missing 2014 RCRA training documents. An updated copy of the contingency plan was provided for my review. Mr. Meek informed me that while they could not locate the actual training records for the training conducted in 2014, he provide supporting information that the training was accomplished during calendar year 2014.

## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148  
September 28, 2015



Photo 1. Photographer: G. Scambiaterra. Time: 11:44 a.m.  
Description: Satellite accumulation containers of hazardous waste paint

## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015



Photo 2. Photographer: G. Scambiaterra. Time: 11:45 a.m.

Description: Satellite accumulation containers of hazardous waste paint



## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148  
September 28, 2015



Photo 3. Photographer: G. Scambiaterra. Time: 11:49 a.m.  
Description: Satellite accumulation containers of hazardous waste paint

## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015



Photo 4. Photographer: G. Scambiaterra. Time: 12:00 p.m.  
Description: 90-day hazardous waste storage area containers



## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015



Photo 5. Photographer: G. Scambiaterra. Time: 12:00 p.m.  
Description: 90-day hazardous waste storage area containers

## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148  
September 28, 2015



Photo 6. Photographer: G. Scambiatterra. Time: 12:06 p.m.  
Description: 90-day hazardous waste storage area containers



## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015

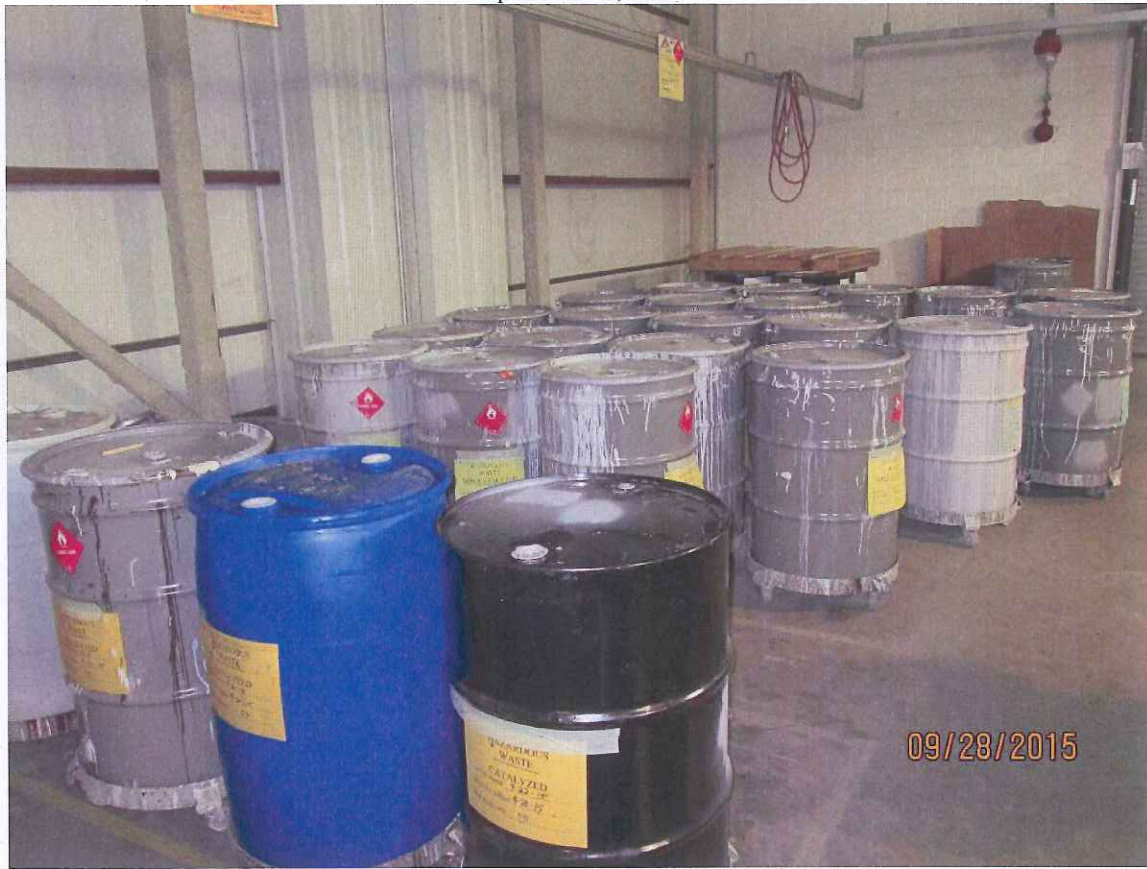


Photo 7. Photographer: G. Scambiatterra. Time: 12:10 p.m.  
Description: 90-day hazardous waste storage area containers

## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148  
September 28, 2015



Photo 8. Photographer: G. Scambiaterra. Time: 12:13 p.m.  
Description: 90-day hazardous waste storage area containers

## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015



Photo 9. Photographer: G. Scambiatterra. Time: 12:41 p.m.  
Description: Hazardous waste from solvent recycler



## Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015



Photo 10. Photographer: G. Scambiatterra. Time: 12:45 p.m.  
Description: Universal waste bulbs in Compressor Room

# Attachment 1

Elkay Wood Products Company - RCRA ID: IND 152 090 148

September 28, 2015



Photo 110. Photographer: G. Scambiaterra. Time: 12:46 p.m.  
Description: Used Oil in Compressor Room





Installation Name:  
Elkay Wood Products Co.

Location Address:  
515 W. Mill Street  
Culver, Indiana 46511

EPA ID Number:  
IND 152 090 148

Date of Inspection:  
September 28, 2015

U.S. EPA Inspector:  
Graciela Scambiaterra

**Attachment 2**

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	<b>PART 722: STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE (&gt;1000 KG/MO.)</b>	
	<b>SUBPART A: GENERAL</b>	
	<b>Section 722.111 Hazardous Waste Determination</b>	
722.111	Has the generator correctly determined if the solid waste(s) it generates is a hazardous waste? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.111
	Have hazardous wastes been identified for purposes of compliance with Part 728? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
808.121(a)	Has the generator correctly determined if the solid waste(s) it generates is a special waste? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
	<b>Section 722.112 USEPA Identification Numbers</b>	
722.112(a)	Has the generator obtained a USEPA identification number? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	808.121(a) 722.112(a)
722.112(c)	Has the generator offered its hazardous waste only to transporters or to treatment, storage or disposal facilities that have a USEPA identification number? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.112(c)
	<b>SUBPART B: THE MANIFEST</b>	
	<b>Section 722.120 General Requirements</b>	
722.120(a)	Does the facility manifest its waste off-site? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
722.120(b)	Does the manifest designate a facility permitted to handle the waste? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.120(a)
722.120(d)	Has the generator shipped any waste that could not be delivered to the designated facility? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	722.120(b)
	<b>Section 722.121 Acquisition of Manifests</b>	
722.121(a)	Has the generator used: - an Illinois manifest for wastes designated to a facility within Illinois? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.120(d) 722.121(a)
722.121(b)	- a manifest from the State to which the manifest is designated? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - an Illinois manifest if the State to which the waste is designated has no manifest of its own? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.121(b)
	<b>Section 722.122 Number of Copies</b>	
722.122	Does the manifest consist of at least 6 copies? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.122
	<b>Section 722.123 Use of the Manifest</b>	
722.123(a)	For each manifest reviewed, has the generator: - signed the certificate by hand? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - obtained the handwritten signature and the date of acceptance by the initial transporter? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - retained one copy as required by Section 722.140(a)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - apparently sent a copy (part 5 for the Illinois manifest) to the Agency within 2 working days? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.123(a)
722.123(b)	- has the generator apparently given the remaining copies to the transporter? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.123(b)

Installation Name:  
Elkay Wood Products Co.

Location Address:  
515 W. Mill Street  
Culver, Indiana 46511  
U.S. EPA Inspector:  
Graciela Scambiaterra

EPA ID Number:  
IND 152 090 148

Date of Inspection:  
September 28, 2015

**Attachment 2**

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
722.123(c)	- has the generator followed the procedures prescribed in Section 722.123 for manifesting bulk shipments of hazardous waste by rail or water? Yes _____ No _____ N/A <u>✓</u>	722.123(c)
722.130	<b>SUBPART C: PRE-TRANSPORT REQUIREMENTS</b> Is there any hazardous waste ready for transport off-site? <u>✓</u> Yes _____ No _____ N/A _____ If so, is the generator complying with the pre-transport requirements in Subpart C? Yes <u>✓</u> No _____ N/A _____	722.130
(722.134(a))	<b>Section 722.134 Accumulation Time</b> Has the generator complied with the following requirements? Yes <u>✓</u> No _____ N/A _____	
(722.134(a)(1))	A) For waste in containers, has the generator complied with the requirements of Part 725, Subpart I, AA, BB, and CC? Yes <u>✓</u> No _____ N/A _____ and/or B) For waste in tanks, has the generator complied with the requirements of Part 725, Subpart J, AA, BB, and CC (except Sections 725.297(c) and 725.300)? Yes _____ No _____ N/A <u>✓</u> and/or C) For waste on drip pads, has the generator complied with the requirements of Part 725, Subpart W and maintained the required records identified in this subsection? Yes _____ No _____ N/A <u>✓</u> and/or D) For waste in containment buildings, has the generator complied with Part 725, Subpart DD and maintained the required records identified in this subsection? Yes _____ No _____ N/A <u>✓</u>	
(722.134(a)(2))	For waste in containers, has the generator marked and made visible for inspection on each container, the date upon which accumulation began? Yes <u>✓</u> No _____ N/A _____	
(722.134(a)(3))	For waste in containers and tanks, has the generator marked or labeled each with the words "Hazardous Waste"? Yes <u>✓</u> No _____ N/A _____	
(722.134(a)(4))	Has the generator complied with the requirements of Part 725, Subparts C and D, and Sections 725.116 and 728.107(a)(4)? Yes _____ No <u>✓</u> N/A <u>see training</u> Specifically, the requirements of items 1 and/or 4 above (listed by regulation) which need to be complied with are as follows: Does the facility accumulate hazardous waste in containers? Yes <u>✓</u> No _____ N/A _____ If "No", go to Subpart J.	
(725.211) (725.214)	<b>SUBPART I: USE AND MANAGEMENT OF CONTAINERS</b> Has the generator closed an accumulation area? Yes _____ No <u>✓</u> N/A _____ If "Yes", was the accumulation area closed in accordance with Sections 725.211 and 725.214? Yes _____ No _____ N/A <u>✓</u>	725.211 725.214

**Installation Name:**  
Elkay Wood Products Co.

**Location Address:**  
515 W. Mill Street  
Culver, Indiana 46511  
**U.S. EPA Inspector:**  
Graciela Scambiaterra

**EPA ID Number:**  
IND 152 090 148

**Date of Inspection:**  
September 28, 2015

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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.271)	If the containers have leaked or are in poor condition, has the owner/operator transferred the hazardous waste to a suitable container? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.272)	Is the waste compatible with the container and/or liner? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.273(a))	Are containers of hazardous waste always closed except to remove or add waste during accumulation? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.273(b))	Are containers of hazardous waste being opened, handled, or stored in a manner which will prevent the rupture of the container or prevent it from leaking? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.274)	Is the owner/operator inspecting the accumulation area(s) at least weekly, looking for leaks or deterioration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Is the accumulation area free from any evidence of leaking or deteriorating containers? (See also Section 725.131) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.276)	Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility's property line? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <b>Note:</b> See Section 725.117(a) for additional requirements for ignitable, reactive or incompatible wastes.	
(725.277)	Is the owner/operator complying with the requirements concerning incompatible wastes? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> COMMENTS:	
(725.278)	<b>Section 725.278 Air Emission Standards</b> Is the owner or operator managing all hazardous waste placed in containers in accordance with Subparts AA, BB and CC of Part 725? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Comments: Does the generator accumulate and/or treat hazardous waste in tanks? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> <b>Note:</b> If "No", go to Subpart C.	
	<b>SUBPART J: TANK SYSTEMS</b>	
	Has the generator closed an accumulation area? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	725.211
(725.211) (725.214)	If "Yes", was the accumulation area closed in accordance with Sections 725.211 and 725.214? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	725.214

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(725.290)	<p>Does the facility accumulate or treat hazardous waste in tanks? Yes _____ No _____ N/A <u>✓</u></p> <p><b>Note:</b> A generator may treat hazardous waste in a tank for less than 90 days without a RCRA permit.</p> <p>If "No", skip Subpart J.</p> <p>a) Tank systems that are used to accumulate or treat hazardous waste which contains no free liquids (using the Paint Filter Liquids Test) and that are situated inside a building with an impermeable floor are exempted from the requirements in Section 725.293.</p> <p>b) Tank systems, including sumps, that serve as part of a secondary containment system to collect or contain releases of hazardous wastes are exempted from the requirements in Section 725.293(a).</p> <p>c) Tanks, sumps and other collection devices used in conjunction with drip pads (as defined in Section 720.110) and regulated under Subpart W, must meet the requirements of this Subpart.</p>	
(725.291(a))	<p>For tanks <b>existing</b> prior to July 14, 1986 (see definition of tank system under 720.110) and not protected by a secondary containment system, has a written assessment been reviewed and certified by an IRPE(*) in accordance with Section 702.126(d) by January 12, 1988 [except as provided in Section 725.291(c)]? <u>✓</u></p> <p>Yes _____ No _____ N/A <u>✓</u></p>	
(725.291(b))	<p>Does this assessment consider at least the following:</p> <p>1) design standards for the tank and ancillary equipment? Yes _____ No _____ N/A <u>✓</u></p> <p>2) hazardous characteristics of the wastes? Yes _____ No _____ N/A <u>✓</u></p> <p>3) existing corrosion protection measures? Yes _____ No _____ N/A <u>✓</u></p> <p>4) documented age of the tank system? Yes _____ No _____ N/A <u>✓</u></p> <p>5) results of a leak test, internal inspection, or other tank integrity examination? Yes _____ No _____ N/A <u>✓</u></p> <p>*IRPE = Independent Registered Professional Engineer</p>	
(725.291(c))	<p>Has a tank system assessment been performed within 12 months after the materials in the tank become a hazardous waste? <u>✓</u></p> <p>Yes _____ No _____ N/A <u>✓</u></p> <p><b>Note:</b> If an assessment indicates a tank system is leaking or unfit for use, the owner/operator must comply with the requirements of Section 725.291(b)(5).</p>	

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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.292(a))	<p>For new tanks (see definition of new tanks under Section 720.110) whose installation commenced after 07/14/86, has a written assessment been reviewed and certified by an IRPE in accordance with Section 702.126(d) prior to operation of the tank system? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Does the assessment include, at a minimum, the following:</p> <p>1) design standards for tanks and ancillary equipment? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) hazardous characteristics of the waste(s) to be handled? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) evaluation of potential for corrosion and corrosion protection measures for tank systems with metal components in contact with soil or water? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>4) design or operational measures that will protect underground tank systems from potential damage resulting from vehicular traffic? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>5) designs to ensure adequate foundations, anchoring to prevent flotation or dislodgment and the ability to withstand the effects of frost heave? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.292(g))	<p>Has the owner/operator obtained and kept on file at the facility the written statements, including the certification statements [as required in Section 702.126(d)] of the design and installation requirements of Subsections (b) through (f)? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293(a))	<p>Is secondary containment provided for any new tank system before being put into service? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Does an existing tank, used to accumulate F020, F021, F022, F023, F026 or F027 waste(s), have secondary containment by 1/12/89? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>For an existing tank of documentable age, is secondary containment provided by 1/12/89 or when the tank is 15 years old, whichever is later? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>For an existing tank of undocumentable age, has secondary containment been provided by 1/12/95? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>or if the facility is older than 7 years, by the time the facility reaches 15 years of age or 1/12/89, whichever is later? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>For tanks that accumulate wastes that become hazardous after 1/12/87, has secondary containment been provided within the time intervals required in Subsections (a)(1) through (a)(4) substituting the date that a material becomes a hazardous waste for 1/12/87? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293(b))	<p>Is the secondary containment system designed, installed and operated to prevent migration of wastes or accumulated liquid out of the system at any time? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Is the secondary containment system capable of detecting and collecting releases and accumulated liquids until the collected material is removed? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	

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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.293(c))	<p>To meet the requirements of Subsection (b), is the secondary containment system:</p> <p>1) compatible with the waste(s) in the tank and of sufficient strength and thickness to prevent failure? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) placed on a foundation or base capable of providing support, providing resistance to pressure gradients and preventing failure due to settlement, compression of uplift? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) provided with a leak detection system designed and operated to detect any release or accumulated liquid within 24 hours? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>4) sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills or precipitation? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>and is spilled or leaked waste and accumulated precipitation removed from the secondary containment within 24 hours? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p><b>Note:</b> A RCRA permit may allow for removal of liquids less frequently than 24 hours after accumulation.</p>	
(725.293(d))	<p>Does the secondary containment for tanks have one or more of the following:</p> <p>1) a liner (external to the tank); or 2) a vault; or 3) a double-walled tank; or 4) an equivalent device (approved by the Board)? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293(e))	<p>Does the external liner system(s), vault system(s) and/or double-walled tank(s) meet the additional requirements identified in Section 725.293(e)? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.293(f))	<p>Is ancillary equipment protected by secondary containment that meets the requirement of Subsection (h) and (c)? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>If "No":</p> <p>1) Is aboveground piping (exclusive of flanges, joints, valves and connections) inspected daily? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) Are welded flanges, joints and connections inspected daily? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) Are sealless or magnetic coupling pumps and sealless valves inspected daily? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>4) Are pressurized aboveground piping systems with automatic shut-off devices inspected daily? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	

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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.293(i))	<p>Until such time as secondary containment is provided, are the following requirements being met for all tank systems:</p> <p>1) For non-enterable underground tanks, has an annual leak test that meets the requirements of 725.291(b)(5) been conducted?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) For other than non-enterable underground tanks and ancillary equipment, has an annual leak test, internal inspection or other tank integrity examination by an IRPE been conducted?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) Are written records maintained at the facility to document the assessments required under Subsections (i)(1) and (i)(2)?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p><b>Note:</b> If a tank system is found to be leaking or unfit for use as a result of a leak test or assessment, the owner/operator must comply with Section 725.296.</p>	
(725.294(a))	<p>Has the owner/operator placed hazardous wastes or treatment reagents in the tank system that could cause the system to rupture, leak, corrode or otherwise fail?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.294(b))	<p>Do tanks and secondary containment have appropriate controls and practices to prevent spills and overflows including:</p> <p>1) spill prevention controls?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) overfill prevention controls?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) sufficient freeboard in uncovered tanks?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.294(c))	<p><b>Note:</b> If a leak or spill has occurred in the tank system, the owner/operator shall comply with the requirements of Section 725.296.</p>	
(725.295(a))	<p>Does the owner/operator inspect, if present, at least each operating day, the following:</p> <p>1) overfill/spill control equipment?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>2) the aboveground portion of the tank system for corrosion or releases?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>3) data from monitoring equipment?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>4) the construction materials and the area immediately surrounding the external portion of the system?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.295(b))	<p>If the tank system has cathodic protection, is the owner/operator complying with Section 725.295(b) to ensure that they are functioning properly?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.295(c))	<p>Does the owner/operator document in the operating record, the results of tank inspections as required in Section 725.295(a) and (b)?  Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	

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(725.296)	<p>If the tank system or secondary containment system has a leak or spill or is unfit for use, has the owner/operator:</p> <p>a) immediately ceased using; prevented flow or addition of waste and inspected the system to determine the cause of the release? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>b) removed applicable waste from the system within 24 hours of detection? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>c) immediately conducted a visual inspection of the release and taken actions to contain visible releases to the environment, prevented further migration to soils or surface water and removed and properly disposed of any contaminated soil or water? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.296(d))	<p>d) notified the Agency within 24 hours of detection of release? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>d)3) within 30 days of detection of release, submitted a report to the Agency that complies with the requirements of Section 725.296(d)(3)? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p><b>Note:</b> Notification and reports are not necessary if less than 1 pound of material is spilled and it was immediately contained and cleaned up.</p>	
(725.296(e))	<p>e) repaired the tank system prior to returning the tank system to service in the event that a leak has occurred from the primary tank system into the secondary containment system? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>e)4) provided secondary containment before returning a tank system to service in the event that the release was from a component of a tank system without secondary containment? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>e)4) met the requirements for a new tank system in the event that a component is replaced during repair? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>e)4) provided the entire component with secondary containment prior to being returned to use in the event that a leak has occurred in any portion of a component that is not readily accessible for visual inspection? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.296(f))	<p>f) In the event that an extensive repair has been conducted in accordance with subsection (e), submitted to the Agency within 7 days after returning the tank system to use, a certification by an IRPE stating that the repaired system is capable of handling hazardous wastes without release for the intended life of the system? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p><b>Note:</b> If the owner/operator does not satisfy the requirements of subsections (e)(2) through (e)(4), the tank system must be closed in accordance with Section 725.297.</p>	
(725.297(a))	<p>At the time of closure of a tank system, has the owner/operator removed or decontaminated all waste residues, contaminated components, contaminated soils and structures and equipment and managed them as hazardous waste [unless Section 721.103(d) applies]? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.297(a))	<p>Have the closure plan, closure activities, cost estimates for closure and financial responsibility for tank systems met all requirements specified in Subparts G and H? Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	



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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.297(b))	<p>If the tank system cannot be "clean" closed, has the owner/operator closed the tank system and performed post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (Section 725.410)?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p><b>Note:</b> Such a tank system is considered a landfill and must meet all of the requirements of landfills specified in Subparts G and H.</p>	
(725.298(a))	<p>Are ignitable or reactive wastes placed in a tank system?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>If "No", skip to Section 725.299.</p> <p>Is the waste treated, rendered or mixed before or immediately after placement in the tank system so that:</p> <ul style="list-style-type: none"><li>- the resulting waste, mixture or dissolved material is no longer ignitable or reactive?</li></ul> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"><li>- Section 725.117(b) is complied with?</li></ul> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>or</p> <p>Is the waste accumulated or treated so that it is protected from any material or conditions which may lead to ignition or reaction?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>or</p> <p>Is the tank used solely for emergencies?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.298(b))	<p>Is the facility complying with the requirements regarding maintenance of protective distances between the waste management area and any public ways, streets, alleys or any adjoining property line?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p>	
(725.299)	<p>Are incompatible wastes/materials placed in the same tank?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>If "No", skip to Section 725.300.</p> <p>Is Section 725.117(b) being complied with?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Has the tank system been properly decontaminated if it previously held an incompatible waste/material unless Section 725.117(b) is complied with?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>COMMENTS:</p>	
(725.302)	<p><b>Section 725.302 Air Emission Standards</b></p> <p>Is the owner or operator managing all hazardous waste placed in tanks in accordance with Subparts AA, BB and CC of Part 725?</p> <p>Yes _____ No _____ N/A <input checked="" type="checkbox"/></p> <p>Comments:</p>	
(725.131)	<p><b>SUBPART C: PREPAREDNESS AND PREVENTION</b></p> <p>Is the facility being operated and maintained to minimize the possibility of a fire, explosion or any release of hazardous waste or hazardous waste constituents which could threaten human health or the environment?</p> <p>Yes <input checked="" type="checkbox"/> No _____ N/A _____</p>	

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(725.132)	<p>Is the facility equipped with the following, if necessary:</p> <p>a) an internal communication or alarm system(s)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>b) a telephone or other device to summon emergency assistance from local authorities? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>c) portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>d) water at adequate volume and pressure for fire control? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.133)	<p>Is the facility testing and maintaining communication/alarm system(s), fire protection equipment, spill control equipment and decontamination equipment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.134)	<p>a) Where hazardous waste is being handled, do all employees have immediate access to an internal alarm or other emergency communication device? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>b) If there is ever just one employee on the premises when the facility is operating, does he/she have immediate access to a device capable of summoning external emergency assistance? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.135)	<p>Is the facility maintaining adequate aisle space? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.137)	<p>Has the facility attempted to make the following arrangements, as appropriate, for the type of facility and waste:</p> <ul style="list-style-type: none"> <li>- arrangements with local emergency authorities (i.e. police and fire departments, other emergency response agencies) to familiarize them with the layout of the facility, properties of hazardous waste handled, places where facility personnel would be working, entrances to roads inside the facility and evacuation routes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- agreements designating the primary authority where more than one police or fire department might respond? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- agreements with State emergency response teams, contractors and equipment suppliers? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the type of injuries or illnesses which could result from fires, explosions or releases at the facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> </ul>	<p>these arrangements were not written in the plan.</p>
	<b>SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES</b>	
(725.151(a))	<p>Is the contingency plan available? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>If "No", skip to Section 725.155.</p> <p>Is the plan designed to protect human health and the environment from releases to the air, soil and water? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.151(b))	<p>Has there been a fire, explosion or release of hazardous waste? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></p> <p>If "Yes", has the contingency plan been carried out immediately? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	

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(725.152(a))	Does the plan describe the actions required for response to: - fires? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - explosions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - releases? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.152(c))	Does the plan describe arrangements with: - police and fire departments? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> - hospitals? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> - contractors? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> - emergency response teams? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
(725.152(d))	Does the plan contain the current emergency coordinator's name, phone (office and home) and address? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
(725.152(e))	Does the plan identify all emergency equipment including: - description? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - capability? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> - location? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Is the list of emergency equipment up-to-date? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.152(f))	Does the plan include: - an evacuation plan? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - an evacuation signal? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - alternate evacuation routes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.153)	Has the contingency plan (including all revisions) been: a) maintained at the facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> b) submitted to: - police department? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - fire department? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - hospital? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - emergency response teams? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.154)	Has the contingency plan been reviewed and revised whenever: a) regulations are revised? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> b) the plan fails in an emergency? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> c) the facility changes in a way that modifies the emergency response necessary? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> d) information regarding emergency coordinators changes? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> e) information regarding equipment changes? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.155)	Is the emergency coordinator on-site or on call at all times? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Is the emergency coordinator familiar with all facility activities, wastes, records, layout and contingency plan? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Does the emergency coordinator have the authority to commit the resources needed to carry out the actions specified in the contingency plan? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.156)	If the facility has had a release, fire or explosion, have the procedures of this Section been followed regarding assessment, response and reporting? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> <b>Note:</b> If the facility has had a release, explain in detail.	

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Elkay Wood Products Co.

**Location Address:**  
515 W. Mill Street  
Culver, Indiana 46511  
**U.S. EPA Inspector:**  
Graciela Scambiaterra

**EPA ID Number:**  
IND 152 090 148

**Date of Inspection:**  
September 28, 2015

**Attachment 2**

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.116(a))	<p><b>Section 725.116 Personnel Training</b></p> <p>Does the facility have a training program? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Have facility personnel successfully completed a program of classroom or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Part 725? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Is the program directed by a person trained in hazardous waste management procedures? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Does the program teach facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Does the program cover, at a minimum:</p> <ul style="list-style-type: none"> <li>- procedures to familiarize facility personnel with emergency procedures, emergency equipment and emergency systems? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- key parameters for automatic waste feed cut-off systems? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- communications or alarm systems? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- response to fire or explosions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- response to groundwater contamination incidents? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>- shutdown of operations? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> </ul>	
(725.116(b))	<p>Have new employees completed the program within 6 months of the date of employment or assignment to a position requiring them to manage hazardous waste? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.116(c))	<p>Have facility personnel received an annual review of the initial training? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.116(d))	<p>Are the following documents and records being maintained at the facility:</p> <ol style="list-style-type: none"> <li>1) the job title for each position related to hazardous waste management and the name(s) of the employee(s) filling each job? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>2) a written job description for each position above, including the requisite skill, education or other qualifications and duties of personnel assigned to each position? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>3) a written description of the type and amount of both initial and continuing training that will be given to each person filling a position dealing with hazardous waste management? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></li> <li>4) records documenting that the training or job experience has been given to and completed by facility personnel? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></li> </ol>	
(725.116(e))	<p>Is the facility maintaining training records until closure of the facility and those of former employees for at least 3 years from the last date of employment? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></p>	

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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(728.107(a)(5))	<b>Section 728.107 Waste Analysis and Recordkeeping</b> Has the generator who treats a prohibited waste in tanks or containers in order to meet the treatment standards developed and followed a waste analysis plan? Yes _____ No _____ N/A <u>✓</u> Is the plan on-site? Yes _____ No _____ N/A <u>✓</u> Does the plan include a detailed physical and chemical analysis? Yes _____ No _____ N/A <u>✓</u> Has the plan been filed with the Agency at least 30 days prior to commencement of treatment activity? Yes _____ No _____ N/A <u>✓</u> Has the generator submitted the required notification and certification that the waste meets treatment standards when the waste is shipped off-site? Yes _____ No _____ N/A <u>✓</u>	
722.134(c)	<b>Section 722.134 Satellite Accumulation</b> Is the generator who accumulates hazardous waste at or near any point of generation where wastes initially accumulate and which is under the control of the operator of the process generating the waste, limiting such accumulation to 55 gallons of hazardous waste or 1 quart of <b>acutely</b> hazardous waste, complying with Sections 725.271, 725.272 and 725.273(a), and marking the containers with the words "Hazardous Waste" or other words identifying the contents? Yes <u>✓</u> No _____ N/A _____ Has the generator who accumulates more than 55 gallons of hazardous waste or 1 quart of <b>acutely</b> hazardous waste complied with the requirements of Section 722.134(a) within 3 working days? Yes <u>✓</u> No _____ N/A _____ If there are more than 55 gallons of hazardous waste or 1 quart of <b>acutely</b> hazardous waste in the satellite accumulation area, are the containers marked with the date accumulation began? Yes <u>✓</u> No _____ N/A _____ During the 3 day period, is the generator continuing to comply with the requirements of Section 722.134(c)(1) with respect to the excess waste? Yes <u>✓</u> No _____ N/A _____	
722.134(g)	<b>Note:</b> A generator that generates 1,000 kilograms or greater of hazardous waste per calendar month which also generates wastewater treatment sludges from electroplating operations that meet the listing description for the hazardous waste code F006 may have alternate accumulation requirements if the conditions of 722.134(g), (h), or (i) are fulfilled.	
722.140(a)	<b>SUBPART D: RECORDKEEPING AND REPORTING</b> <b>Section 722.140 Recordkeeping</b> Has the generator retained for a period of 3 years: - a copy of each signed manifest? Yes <u>✓</u> No _____ N/A _____	722.140(a)
722.140(b)	Has the generator retained a copy of each Annual Report and Exception Report for a period of at least three years from the due date of the report (March 1)? Yes <u>✓</u> No _____ N/A _____	722.140(b)
722.140(c)	Has the generator retained for a period of 3 years: - copies of test results, waste analyses or other determinations made in accordance with Section 722.111? Yes <u>✓</u> No _____ N/A _____	722.140(c)
722.140(d)	Does a generator who is involved in any unresolved enforcement action or as requested by the Director continue to maintain the records required in subsections a) and c)? Yes _____ No _____ N/A <u>✓</u>	722.140(d)

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Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
722.141(a)	<b>Section 722.141 Annual Reporting</b> Has the generator who ships hazardous waste off-site for treatment, storage or disposal filed an annual report with the Agency by March 1 for the preceding calendar year? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.141(a)
	<b>Note:</b> If "No", or if deficiencies are noted with the annual report reviewed, contact the Planning and Reporting Section.	
722.141(b)	Has the generator who treats, stores or disposes of hazardous waste on-site, filed an annual report with the Agency by March 1 for the preceding calendar year? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	722.141(b)
722.142(a)(1)	<b>Section 722.142 Exception Reporting</b> If the generator has not received a copy of the manifest from the TSD facility within 35 days of the date of delivery to the transporter, has the generator contacted the transporter or the TSD facility to determine the status of the hazardous waste? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	722.142(a)(1)
722.142(a)(2)	If the generator has not received a copy of the signed manifest within 45 days of the date of delivery to the transporter, has he filed an exception report with the Agency in accordance with the requirements of this Section? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	722.142(a)(2)
722.143	<b>Section 722.143 Additional Reporting</b> Has the generator furnished additional reports as required by the Director? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	722.143
722.150	<b>SUBPART E: EXPORTS OF HAZARDOUS WASTE</b> Is the generator an exporter of hazardous waste? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> If "Yes", has the generator complied with the requirements of Subpart E? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	722.150
722.160	<b>SUBPART F: IMPORTS OF HAZARDOUS WASTE</b> Is the generator an importer of hazardous waste? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> If "Yes", has the generator complied with the requirements of Subpart F? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	722.160
722.170	<b>SUBPART G: FARMERS</b> Is the generator a farmer? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> If "Yes", has the generator complied with the requirements of Subpart G? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.170